

1 EDMUND G. BROWN JR., Attorney General  
of the State of California  
2 GLORIA A. BARRIOS  
Supervising Deputy Attorney General  
3 KRISTI GUDOSKI COOK, State Bar No. 185257  
Deputy Attorney General  
4 300 So. Spring Street, Suite 1702  
Los Angeles, CA 90013  
5 Telephone: (213) 620-6343  
Facsimile: (213) 897-2804  
6

7 Attorneys for Complainant

8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
BEFORE THE  
CALIFORNIA BOARD OF OCCUPATIONAL THERAPY  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA

11 In the Matter of the Accusation Against:

Case No. OT2007-254

12 RAMON CASTILLO  
110 Crockett Timbers Road  
13 Limestone, Tennessee 37681  
Occupational Therapy License No. OT-<sup>6648</sup>~~5072~~

ACCUSATION

Respondent.

16 Complainant alleges:

17 PARTIES

18 1. Heather Martin (Complainant) brings this Accusation solely in her official  
19 capacity as the Executive Officer of the Board of Occupational Therapy.

20 2. On or about April 7, 2003, the Board of Occupational Therapy (Board)  
21 issued Occupational Therapy License No. OT-<sup>6648</sup>~~5072~~ to Ramon Castillo (Respondent). The  
22 Occupational Therapy License was in full force and effect at all times relevant to the charges  
23 brought herein and will expire on November 30, 2009, unless renewed.

24 JURISDICTION

25 3. This Accusation is brought before the Board under the authority of the  
26 following laws. All section references are to the Business and Professions Code unless  
27 otherwise indicated.

28 ///



1 FIRST CAUSE FOR DISCIPLINE

2 (Unprofessional Conduct/Possession of a Controlled Substance)

3 9. Respondent is subject to disciplinary action under section 2570.28,  
4 subdivision (a), and section 2570.29, subdivision (a), for possessing a controlled substance. On  
5 or about January 20, 2008, police officers approached Respondent, who was sitting next to a  
6 parked car in a hotel parking lot. When the officers initiated contact with Respondent, they  
7 observed inside the car a red balloon that contained heroin. Respondent admitted that the red  
8 balloon belonged to him. After the officers arrested Respondent for possession of heroin, one of  
9 them searched Respondent and found three additional red balloons in Respondent's shirt pocket  
10 that contained heroin. Respondent was charged with violating Health and Safety Code section  
11 11350, subdivision (a), and is currently participating in a deferred entry of judgment program  
12 under the supervision of the criminal court.

13 SECOND CAUSE FOR DISCIPLINE

14 (Unprofessional Conduct/Failure to Respond to Requests for Information)

15 10. Respondent is subject to disciplinary action under section 2570.28,  
16 subdivision (a), for failing to respond to numerous requests by the Board for information related  
17 to his January 20, 2008 arrest. Specifically, the Board sent letters to Respondent requesting this  
18 information on the following dates: February 11, 2008, March 14, 2008 and June 23, 2008.  
19 Respondent's repeated failure to cooperate with the Board's investigation constitutes  
20 unprofessional conduct for which he is subject to discipline.

21 FACTORS IN AGGRAVATION

22 11. Respondent disclosed the following conviction in connection with the  
23 license renewal application he submitted to the Board in or about October 2005:

24 a. On or about April 4, 2005, Respondent was convicted of violating  
25 Tennessee Code section 55-10-401 [driving under the influence] in the criminal proceeding  
26 entitled State of Tennessee v. Ramon Castillo (Gen. Sess. Ct., 2005, Dock. No. 05W432).  
27 Respondent was required to serve seven days in jail on a suspended sentence, and was placed on  
28 probation for 11 months, 29 days.

1                   b.     Based on Respondent's disclosure of this conviction, the Board issued to  
2 Respondent a Notice of Warning, advising Respondent that "any future substantiated report of  
3 similar conduct or of your otherwise violating the Occupational Therapy Practice Act or  
4 regulations adopted thereto, will result in the initiation of disciplinary action to suspend or  
5 revoke your license."

6                   12.   Respondent disclosed the following convictions in connection with the  
7 application for license that he submitted in or about February 2003:

8                   a.     On or about March 11, 1987, Respondent was convicted of one felony  
9 count of violating Health and Safety Code section 11359 [possession of marijuana for sale], in  
10 the criminal proceeding entitled *The People of the State of California v. Ramon Castillo* (Super.  
11 Ct. Los Angeles County, 1987, No. A470586). The imposition of sentence was suspended, and  
12 Respondent was placed on probation for three years.

13                  b.     On or about March 11, 1987, Respondent was convicted of two felony  
14 counts of violating Health and Safety Code section 11360, subdivision (a) [sale or transportation  
15 of marijuana], in the criminal proceeding entitled *The People of the State of California v. Ramon*  
16 *Castillo* (Super. Ct. Los Angeles County, 1987, No. A471955). The imposition of sentence was  
17 suspended. Respondent was placed on probation for three years, a condition of which included  
18 120 days of jail time.

19                  c.     On or about August 13, 1991, after pleading nolo contendere, Respondent  
20 was convicted of one misdemeanor count of violating Penal Code section 484, subdivision (a)  
21 [petty theft], in the criminal proceeding entitled *The People of the State of California v. Ramon*  
22 *Castillo* (Super. Ct. Los Angeles County, 1991, No. 90M02882). The imposition of sentence  
23 was suspended. Respondent was placed on probation for two years, a condition of which  
24 included 10 days of jail time.

25                  d.     On or about March 10, 1992, after pleading guilty, Respondent was  
26 convicted of one misdemeanor count of violating Vehicle Code section 23152, subdivision (a)  
27 [driving under the influence], in the criminal proceeding entitled *The People of the State of*  
28 *California v. Ramon Castillo* (Super. Ct. Los Angeles County, 1992, No. 91M05904). The

1 imposition of sentence was suspended. Respondent was placed on probation for three years,  
2 conditions of which included 18 days of jail time and attendance at an alcohol-related education  
3 program.

4 e. On or about September 21, 1992, after pleading guilty, Respondent was  
5 convicted of four counts of violating Arizona Revised Statutes section 13-1805, subdivision  
6 (A)(1) [shoplifting or petty theft], and one count of violating Arizona Revised Statutes section  
7 13-3904 [failure to appear] in the criminal proceeding entitled *State of Arizona v. Ramon*  
8 *Castillo* (Mun. Ct. City of Phoenix, 1992, No. 9982610). Respondent was sentenced to 20 days  
9 in jail, and was placed on probation for three years.

10 PRAYER

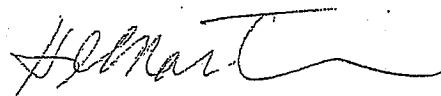
11 WHEREFORE, Complainant requests that a hearing be held on the matters herein  
12 alleged, and that following the hearing, the Board issue a decision:

13 A. Revoking or suspending Occupational Therapy License No. OT-<sup>6648</sup>~~5072~~,  
14 issued to Ramon Castillo;

15 B. Ordering Ramon Castillo to pay the Board the reasonable costs of the  
16 investigation and enforcement of this case, pursuant to Business and Professions Code section  
17 125.3; and,

18 C. Taking such other and further action as deemed necessary and proper.

19  
20 DATED: April 27, 2019

21  
22   
23 HEATHER MARTIN  
24 Executive Officer  
25 Board of Occupational Therapy  
26 State of California  
27 Complainant